

POKER EXPERT EXPLAINS GAME

W. H. Parent Gives Testimony
as to Relative Value of
Different Hands.

"PHONEY" ROLL IN COURT

LOOFBOUROW ADDS TO EXHIBIT
OF BUNCO PARAPHERNALIA.

Expert evidence on poker games and values of various hands according to Hoyle was given in the Donaldson trial yesterday by William H. Parent, professional gambler and card shark. Parent qualified as an expert and went into detail as to the manner in which "stud poker" is played.

Much of the time yesterday was taken up with the argument of objections. The objection raised by the defense Thursday afternoon as to the introduction of Parent's evidence was submitted without further argument yesterday morning by the defense and was overruled by the court. The defense had argued that it would argue the point and submit authorities in support of its contention, but this morning changed its position and made no argument at that time.

After Parent had told of what occurred in the room at the Antler rooming house the defense introduced an objection as to any testimony with reference to anything occurring later. This point was warmly contested by both sides, the argument lasting two hours. The court finally decided that this testimony was admissible, overruling the motion of the defense.

Rooming House Keepers Testify.

Mrs. Anne Peterson, who keeps a rooming house at 353 South West Temple street, was the first witness called yesterday morning by the prosecution. She testified that the O'Briens rented rooms in her house in April, 1906, and lived in them about six weeks. On May 6 she said she saw Donaldson in the O'Briens' rooms. On September 13 she said she saw Donaldson and Larry O'Brien on the street together. She swore that she knew the O'Briens. Donaldson and another man whom she designated as "Painter Kid" very well.

Mrs. Lucinda Levy, the proprietress of a rooming house at the South West Temple, testified that the O'Briens had apartments at her house from November 22, 1905, until September 22, 1906. A portion of this time Larry and Jack O'Brien were away but Mrs. Jack O'Brien kept the rooms. Two weeks prior to the McWhirter robbery Mrs. Levy said she saw Donaldson in the O'Briens' rooms and about two weeks before that Donaldson came to the door and asked for a room.

Following the testimony of the rooming house keepers W. H. Parent was recalled to the stand. In response to questions of the district attorney, Parent spoke in a low, easy tone of voice, so low that he had to be admonished several times by the court to talk louder.

Beginning at the point of his testimony where he entered the room at the Antler rooming house, Parent began his story. In several instances his evidence was at variance with that of the two McWhirters.

"When I entered the room," said the witness, "Larry O'Brien said, 'Here is the officer.' Alexander McWhirter arose from his chair and started forward asking if I was an officer. I replied that I was and showed a police badge which I had pinned beneath my coat."

"Phoney" Roll in Court.

"McWhirter told me that he had been playing cards that he had won over \$2,000, and that he did not think the game was fair. I said that gambling was against the laws of Utah and that it was a serious offense and I would have to take everyone into custody. I asked who had won the money, whereat Donaldson produced two \$1.00 bills and told them on the table. Jack O'Brien handed me a 'phony' roll—a bundle of newspapers cut the size of a bill with a genuine bill wrapped about it."

At this point District Attorney Loofbourow produced a roll such as Parent had described and asked if the roll Jack O'Brien handed him was of that nature. The witness replied that it was.

"I asked McWhirter if he had any more money," Parent continued, "and he handed me a roll which he took from a purse in his inside pocket and started forward asking if I was an officer. I replied that I was and showed a police badge which I had pinned beneath my coat."

Parent identified the receipt shown in court as the one he had given McWhirter.

"Was there anything said about a gun?" asked Mr. Loofbourow.

"Yes," I asked McWhirter if he had anything else and he said he had a gun. I told him he would have to give it to me and he handed it to me."

"Was it loaded?"

"Yes, sir," I unloaded it and put it in my pocket."

"Was there any other gun in the room?"

"I didn't see any," McWhirter said. He thought O'Brien had a gun, but O'Brien told me he had not. In response to what Mr. Loofbourow asked the witness when he left the room who went with him and where they went, Mr. King then interposed his objection to anything that happened subsequent to the actual commission of the crime charged. The argument was spirited and each side presented many authorities on the question.

In the course of his remarks Mr. King scored County Attorney Willard Hanson for starting the procedure on a charge which the attorney insisted could not be proved.

Hanson Gets a Roast.

"If the gentleman who first instituted these proceedings," said the attorney, "had known the evidence and facts in the case, this defendant would not be on trial for robbery and larceny, but another charge would be brought that the evidence might tend to substantiate. The only charges under the evidence that could have been made would have been gambling and receiving stolen property. Attorney General Beesley and District Attorney Loofbourow, however, are not responsible for these errors, which their judgment and learning would have forestalled, but they had to take the case as it came to them."

The objection of the defense was overruled by the court and Parent was allowed to go on with his story. After leaving the Antler rooming house, he said that he, Larry O'Brien and Donaldson went to Nick Rizzuto's saloon on West Temple street. There Parent returned to Donaldson the two \$1.00 he had taken from him. He also gave Larry \$5.00, keeping the other \$3.00. Then they separated and later in the day went to dinner at the home of Donaldson's sister in the New England addition.

Sheets' Share of Proceeds.

The next day in Donaldson's room at the Imperial hotel Parent said the division of the spoils took place. There were pres-

Personal

There is a delicate matter which no one will speak to you about—Never allow the breath to become tainted. Take good care of your teeth and assist Nature to obey the bodily laws by an occasional dose of

Beecham's Pills

Sold everywhere. In boxes 10c. and 25c.

ent the two O'Briens, Donaldson, Bell and Parent. According to Parent's figures, he and Bell got \$2,467.00; Donaldson and the two O'Briens got \$3,330.00, and \$1,382.85 was laid aside for Chief of Police George A. Sheets. The other \$1,000 had been returned to the McWhirters.

On cross-examination, Parent said that he had never seen nor heard of Jim Donaldson prior to seeing him at the Antler rooming house and he thought that it was the first time Bell had ever seen him. He said that for aught he knew Donaldson might have mistaken him for an officer, as did the McWhirters.

Parent said he was talking to Bell in the entrance to Gordon's tailoring establishment in the Dooly block diagonally across the street from the Antler rooming house, when they were approached by Larry O'Brien. Larry told them there were a couple of "suckers" across the street who had lost \$2,000 in a poker game and who were calling for a policeman. Larry gave Parent a police badge and told them to play policemen. He told them he would give them a third of the money.

Expert Evidence on Poker.

Attorney King then went into Parent's knowledge of the manner in which it was played. He showed that he was qualified to testify from the standpoint of an expert and was asked to describe the condition of the cards when he entered the room where the gambling had been done. He was told to enter the room that "stud" poker had been played. The hands lay as they had when Donaldson had gathered in the pot. He said he was under the impression that O'Brien had a pair of queens, McWhirter a full house—three aces and a pair of jacks—and Donaldson either four threes or four sevens.

"Under the rules of 'stud' poker," asked Mr. King, "who would have won the pot?"

"Four of a kind beat a full house. As the hands lay Donaldson would have won and I told McWhirter that Donaldson's hand was the best."

"Supposing McWhirter had a pair of aces and a pair of jacks and Donaldson three sevens, would you have called for a policeman?"

"Donaldson would have been the winner, as three of a kind beat two pair."

Contradicts the McWhirthers.

The attorney asked Parent in detail about the revolver incident and succeeded in getting him to contradict much of the testimony of the two McWhirthers. Both Alexander and William McWhirter had testified that Jack O'Brien had a revolver which was taken away from him by Parent prior to the taking of the money. They also swore that the gun taken from Alexander was the same as the one taken from O'Brien.

Parent under cross-examination said that the revolver subject was not brought up until after McWhirter had turned over his money. He said he took no gun from O'Brien and that he unloaded the gun taken from McWhirter in the presence of everyone in the room, and that all of the cartridges fell to the floor.

Other points of variance were the manner in which the hands were dealt by the McWhirthers and the searching of the men in the room. The McWhirthers said that Parent took the money from the pocket of Alexander or O'Brien, while Parent swears he did not lay a hand on anyone in the room and that McWhirter handed him the money.

At this juncture an adjournment of the case was taken to Monday morning.

INCREASED BUSINESS.

Figures for Six Months Show Gain Over Last Year.

New York, June 28.—Bradstreet's tomorrow will say:

Seasonable summer weather has further improved the general crop situation and enlarged retail trade, favored a larger volume of re-order trade with jobbers and manufacturers than several previous weeks ago. Six months' results in wholesale and jobbing lines show the effect of improved conditions, but also reflect the large gains noted in the first quarter of the year.

Taken as a whole, the general business index will show a six months' business of 5 to 10 per cent at least in advance of 1906.

Very much the same report is made by leading industries, which have generally surpassed records made in the first half of a year ago.

Business failures in the United States for the week ending June 27 number 150, against 165 last week, 146 in the like week of 1906.

Canadian failures number 29, as against 15 last week and 22 in this week a year ago.

Wheat, including flour, exports from the United States and Canada for the week ending June 27 aggregate 3,598,724 bushels, against 2,850,222 last week; 1,902,555 this week last year. For the past fifty-two weeks of the fiscal year the exports are 170,770,806 bushels, against 124,619,519 in 1905-06.

Corn exports for the week are 1,173,374 bushels, against 988,832 last week, and 870,237 a year ago. For the fiscal year to date the exports are 71,933,683 bushels, against 110,259,539 in 1905-06.

BULLS GOT HIM.

San Francisco, June 28.—The governing board of the San Francisco stock exchange, today suspended Kenneth Donnellan, the youngest stock broker on the street, who is in financial difficulties.

Donnellan, who is 25 years of age, has been selling shorts on Nevada mining stocks and has been heavily pressed. He sold Combination Fraction at \$1.00 and today the prices at which he will have to deliver the stock rose to \$3.15.

A man who is in perfect health, so he can do an honest day's work when necessary, has much for which he should be thankful. Mr. L. C. Rodgers, of Branchton, Pa., writes that he was not only unable to work, but he couldn't stoop over to tie his own shoes. Six bottles of Foley's Kidney Cure made a new man of him. He says, "Success to Foley's Kidney Cure." F. F. Hill Drug Co., "The Never Substitutes."

OUTING EXCURSION NORTH.

Via Oregon Short Line June 29th. Greatly reduced rates to northern Utah and Idaho points. Long limits. City Ticket Office, 201 Main street.

Ask your grocers for the Vienna Walnut Bread.

Bathing at Saltair this year is perfect. Water is warm and plenty of it.

CONSPIRACY CHARGED.

New York, June 28.—Indictments charging conspiracy and forgery against George R. Scruggs, manager of the International policyholders' committee, and Charles F. Stimpert, an employee and one of conspiracy against Charles Harrington, another employee, were returned today by the county grand jury. The charges grew out of the recent election of trustees of the New York Life Insurance company.

ATTEMPTED SUICIDE.

Preston, Ida., June 28.—Chris Jensen, former proprietor of the Officer saloon, attempted to commit suicide by slitting himself in the forehead. He is yet alive, but the chances for recovery are ten to one against him.

THREE YEARS FOR RICKER.

St. Paul, Minn., June 28.—Harry E. Ricker, formerly treasurer of the Metropolitan theatre, was found guilty of stealing \$3,350 from the theatre and sentenced today to serve three years and six months in state's prison.

Z. C. M. T. Specials Today

Will bring a great many of Salt Lake's Prudent Purchasers to our store.
You had better come early and take advantage of these price reductions

HALF PRICE SUIT SALE FOR TODAY

All Cloth Suits, all Silk Suits, Silk Jumper

Suits, Cloth Jumper Suits, and Silk Shirt

Waist Suits will be placed on sale

at HALF PRICE

Silk Coats at HALF PRICE

NO APPROVALS. NO EXCHANGES.

You will appreciate a jacket of evenings.

Covert Jackets, Silk Jackets and Silk

Etoms at HALF PRICE

Your choice of our entire line of Craven-

ette Rain Coats at 25% OFF

ALTERATIONS EXTRA.

SUMMER DRESS GOODS BARGAINS!

OWING TO THE BACKWARD SEASON WE HAVE DECIDED TO MAKE AN EARLY DISPOSAL OF ALL SUMMER DRESS GOODS IN PREFERENCE TO CARRYING THEM OVER. THIS MEANS OUR ENTIRE LINE—NOT A FEW SELECTED PIECES—BUT ALL OF OUR BEAUTIFUL AND APPROPRIATE SUMMER DRESS GOODS WILL BE SOLD TODAY FROM 20 to 50% OFF

WOOL FINISH BATISTE, in all colors, checks, plaids and stripes, sells regularly at 50c a yard; today only 35c

DRAPÉ DE TORIS, a summer costume fabric of fine quality silk and cotton; the very embodiment of beauty; sells regularly at 60c a yard, today only 30c

SUMMER SUITING, a beautiful summer suiting, in three colors only; sells regularly at 30c a yard; today only 20c

SUMMER SUITING, a beautiful mercerized Ombra summer suiting effect; striped, sells regularly for 40c a yard; today only 20c

FUGI YAMA, very desirable for kimonos and dressing gowns; sold regularly at 25c a yard; today only 15c

POIS DE SOIE, a sheer mercerized fabric in beautiful patterns, checks, stripes and dots; suitable for street and evening gowns; regularly 25c a yard; today only 15c

NOTION DEPT. BARGAINS!

CARLTON PURSES, in black and brown, very stylish and an exceptional value. They sell regularly for \$2.00, for today, only 98c

SILK TIES—Women's Foulard Silk Handkerchiefs, that sell regularly for 75c, for today only 45c

STATIONERY—"Berlin's" fine stationery in boxes. Never sold less than 80c a box, for today 45c

KID GLOVES—Fine Pique Kid Street Gloves, all colors and sizes, one and two clasps, worth \$1.75; for today only \$1.25

Millinery Bargains

Exceptional Values for Today--the Newest Styles 33 1/3 to 50% off

All our finest imported hats, all our own original styles—our entire line of ready-to-wear hats, consisting of trimmed hats of every description, and you could not wish to select from a daintier or more attractive line of headwear. Each one an exceptional value. Will be sold today at—

33 1/3 to 50% off

SILKS AND DRESS GOODS BARGAINS!

Ladies', Misses' and Children's Parasols in an endless variety, consisting of white embroidered, white insertions, and all the popular colors, ranging in price from—

25c to \$13.50.

Complete line of Dress Goods in the plain, stripes and checks, and also block checks, regular 65c a yard, for— 50c

In the higher grades the prices range from— 65c to \$2.25.

Pongees are very popular for Ladies' Summer Dresses; we have a full line in the domestic and raw silk, ranging in price from—

\$1.00 to \$2.25.

UNDERWEAR AND HOSIERY DEPARTMENT.

CHILDREN'S SUMMER ROMPERS. Special sale price 65c

LADIES' BLACK and also TAN COLORED COTTON HOSE. Special sale price 10c

LADIES' BLACK COTTON HOSE, with re-enforced heel and toe. Special sale price 15c

LADIES' HIGH NECK and LONG SLEEVE VESTS, also low neck and no sleeve vests. Special sale price 25c

LADIES' LOW NECK and NO SLEEVE SUMMER VESTS. Special sale price 10c

LADIES' LOW NECK and NO SLEEVE, WIDE LEG, LACE TRIMMED UNION SUITS. Regular price 60c. While they last, a suit 30c

A special line of boys' and girls' 25c hose. Sale price 15c

Ladies' full black real Maco hose; a regular 35c quality. Sale price 25c

Misses' fine Egyptian fabric black hose. Regular price 40c. Sale price 25c

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Where You Get The Best.

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OUR DRUG STORE IS AT 112-114 MAIN STREET.

BANKERS MAKE LOUD PROTEST

Complaint Filed With Interstate Commerce Commission Against Express Companies.

Washington, D. C., June 28.—One of the most important cases yet filed with the interstate commerce commission under the new railroad rate law was today presented to the commission by the American Bankers' association, which alleges that the express companies, through their power and facilities as common carriers are usurping the prerogatives of the banking associations and at the same time employing capital of the banks in the conduct of their business. It is alleged that the exchange business of the express companies and the relations which they have with the railroad companies enable them to seriously discriminate against regular commercial operations of banking institutions.

The complaint is directed against the Adams, United States, American, Pacific, Wells Fargo, Western and Great Northern Express companies.

MONTANA MEN INDICTED FOR ILLEGAL FENCING

Helena, Mont., June 28.—John T. Murphy, cattleman in Montana and plantation owner in Florida, was indicted for the unlawful fencing of 2,240 acres of public land situated in Yellowstone and Fergus counties. He was arrested today and is out on bond.

Robert Brownlee, member of the legislature from Sweet Grass county, and State Senator Edward Cardwell of Jefferson county, were also indicted for unlawful fencing, as well as Cabot Thomas, A. J. Thomas and Bert Shorey, prominent cattlemen of eastern Montana.

PREMATURE BLAST.

Butte, Mont., June 28.—A Miner special from Missouri says: Gus Beckman was killed and John Field and Harry Larson were seriously injured in a premature blast at Hell Gate today. The men were working on the Northern Pacific grade. Neither of the injured can talk and how the accident happened is not known.

LEASE HAS EXPIRED.

Chicago, Ill., June 28.—The lease of the Chicago, Burlington & Quincy railroad to the Chicago, Burlington & Quincy Railroad company, has been rescinded by mutual consent, and the former company will, on Monday, resume possession of the property and operate it in its own name. The railway company was organized in 1901 in the interest of the railroad company.

Will Cure Consumption.

A. A. Herren, Finch, Ark., writes: "Foley's Honey and Tar is the best preparation for coughs, colds and lung trouble. I know it, for it has cured consumption in the first stages." You never heard of any one using Foley's Honey and Tar and not being satisfied. F. J. Hill Drug Co., "The Never Substitutes."

Don't Starve Your Hair

What do you think your doctor would say about feeding your hair with Ayer's Hair Vigor, the new kind? He knows that it feeds, nourishes, strengthens. The hair stops falling out, grows more rapidly, and all dandruff disappears. We publish the formulas of all our preparations. J. C. Ayer & Co., Lowell, Mass.

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is to be found in homes warmed by HOT WATER SYSTEM.

The atmosphere remains pure, balmy and evenly tempered.

So economical, safe and durable! Estimates free.

IDEAL BOILERS AND AMERICAN RADIATORS

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MISTAKE OF HARRIMAN.

Violated Racing Rules But Does Not Expect Any Penalty.

New York, June 28.—E. H. Harriman, who was yesterday taken into custody by internal revenue officers at the races of New London yesterday, said today that he was no doubt guilty of a violation of the regulations governing the course, but that it was unintentional. The regatta committee's boat, which he was following, he said, bore a sign reading "Keep astern" and he obeyed it. When he received the order to stop following the committee boat his own launch was so placed that he could not obey without danger of overturning his launch. He said he regarded the incident as closed and that he did not expect that any penalty would be imposed upon him.

NEW FOREST GUARDS.

(Special to The Herald.) Washington, D. C., June 28.—The following forest guards have been appointed in Utah: Edward Rogerson, Monticello national forest; Chris J. Joquency, Salt Lake forest; Nate L. Edmunds of Wales, Utah, assistant forest ranger in Uinta national forest.

Wyoming: Ben F. Gee, assistant forest ranger on Medicine Bow national forest; D. D. Snapp, and Shepard Hiscox, guards in Yellowstone forest.

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STYLISH CLOTHES FOR MEN AND WOMEN

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\$1.00 A WEEK

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This means credit to everybody at any time. We clothe the entire family at one dollar a week.

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So don't worry about the money. Our improved credit system is the most generous of the west. Come and select the clothes and have them charged. Our store is filled with the latest imported styles of Ladies' Suits, Skirts, Waists and Men's Suits, Hats, etc., of the finest quality, at prices much lower than many merchants sell for cash.

Credit Here Costs No More than Cash

Give us a chance to prove our claims.

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The Superb Orpheum Stock Company, Under the Management of Roy Clements.

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ALABAMA

A Romance of the South in Four Acts, by Augustus Thomas, Author of "Arizona," "In Mizouri," Etc.

Matinee Wednesday and Saturday. Same old popular prices.

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